

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lin et al.
Application No.: 10/763,151
Title: BLOW-MOLDED TABLE
Examiner: Ayres, Timothy Michael
Group Art Unit: 3637

AMENDMENT B

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated April 19, 2006, please amend the above-referenced application as follows:

IN THE CLAIMS:

1 - 12. (canceled)

13. (currently amended) A collapsible table comprising:
a blow-molded table top having an upper surface and a lower surface;
a pair of opposing support stands pivotally attached to the lower surface of the table top, the support stands operable to be positioned in an extended position in which the support stands are disposed substantially perpendicular to the lower surface of the table top and in a collapsed position in which the support stands are disposed substantially parallel to the lower surface of the table top, each support stand comprising:
a pair of support legs separated by a distance;
a reinforcement member attached to the support legs and spanning the distance between the support legs; and
a substantially C-shaped holder disposed between the support legs and attached to the reinforcement member;
a pair of articulated support bars, each having a first end pivotally attached to the lower surface of the table top, ~~and~~ a second end pivotally connected to a corresponding one of the support stands, and a central portion disposed between the first and second ends, the central portion for engaging the substantially C-shaped holder of the corresponding support stand. the support bars operable to be positioned in an extended position in which the support bars are disposed at an angle to the lower surface of the table top for bracing the support stands in the extended position, the support bars further operable to be positioned in a collapsed position in which the support bars are disposed substantially parallel to the lower surface of the table top;
wherein, ~~when as~~ the support stands and support bars ~~are in~~ move from the extended position to the collapsed position, the substantially C-shaped holder of each support stand engages the

central portion of a corresponding one of the support bars, thereby preventing the support stand from inadvertently moving from the collapsed position to the extended position.

14. (previously presented) The collapsible table of claim 13 wherein the second end of each of the support bars comprises a pivotally-connected V-shaped brace having a pair of prong members that pivotally attach to the pair of support legs of the corresponding support stand.

15. (previously presented) The collapsible table of claim 13 wherein the lower surface of the table top includes a recess for receiving at least a portion of the C-shaped holder of each support stand when the support stand is in the collapsed position.

16. (previously presented) The collapsible table of claim 13 wherein the reinforcement member comprises an arched brace.

17. (previously presented) The collapsible table of claim 13 wherein the reinforcement member comprises a substantially linear brace.

18. (withdrawn) The collapsible table of claim 13 further comprising:
the table top including a downwardly extending lip structure disposed about an outer perimeter of the table top;
a pair of substantially parallel frame members attached adjacent the lip structure and the lower surface of the table top;
the support stands pivotally attached to and between the frame members;
a plurality of fasteners for fastening the frame members to the table top, the fasteners passing through at least a portion of the frame members and engaging the lower surface of the table top but not engaging the lip structure.

19. (withdrawn) The collapsible table of claim 18 wherein the frame members comprise support tubes.

20. (withdrawn) The collapsible table of claim 19 wherein the frame members comprise substantially cylindrical support tubes.

21. (withdrawn) The collapsible table of claim 18 wherein the fasteners comprise screws.

22. (withdrawn) A collapsible table comprising:
a blow-molded table top having an upper surface, a lower surface, and a downwardly extending lip structure disposed about an outer perimeter of the table top;
a pair of substantially parallel frame members attached adjacent the lip structure and the lower surface of the table top;
a pair of opposing support stands pivotally attached to and between the frame members, the support stands operable to be positioned in an extended position in which the support stands are disposed substantially perpendicular to the lower surface of the table top and in a collapsed position in which the support stands are disposed substantially parallel to the lower surface of the table top; and
a plurality of fasteners for fastening the frame members to the table top, the fasteners passing through at least a portion of the frame members and engaging the lower surface of the table top but not engaging the lip structure.

23. (withdrawn) The collapsible table of claim 22 wherein the frame members comprise support tubes.

24. (withdrawn) The collapsible table of claim 23 wherein the frame members comprise substantially cylindrical support tubes.

25. (withdrawn) The collapsible table of claim 22 wherein the fasteners comprise screws.

REMARKS

This amendment is filed in response to the Office Action dated April 19, 2006, in which Claims 13-17 are rejected and claims 18-25 are withdrawn. Reconsideration and allowance of all pending claims is requested.

Claims 13-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication 2002/0092445 to Glover et al. in view of U.S. Patent Nos. 1,959,725 to Lindsay and 1,905,219 to Crichton. As set forth below, Applicants traverse this rejection. Reconsideration and allowance of claims 13-15 and 17 is requested.

Claim 13 is directed to a collapsible table comprising a blow-molded table top having an upper surface and a lower surface, a pair of opposing support stands and a pair of articulated support bars. According to claim 13, the support stands are pivotally attached to the lower surface of the table top so they may be positioned in an extended position and a collapsed position. In the extended position, the support stands are disposed substantially perpendicular to the lower surface of the table top. In the collapsed position, the support stands are disposed substantially parallel to the lower surface of the table top. Each support stand comprises a pair of support legs separated by a distance, and a reinforcement member attached to the support legs that spans the distance between the support legs. A substantially C-shaped holder is disposed between the support legs and attached to the reinforcement member.

The support bars each have a first end that is pivotally attached to the lower surface of the table top and a second end that is pivotally connected to a corresponding one of the support stands. Disposed between the first and second ends of each support bar is a central portion configured to engage the C-shaped holder on the reinforcement member. The support bars may be positioned in an extended position in which the support bars are disposed at an angle to the lower surface of the table top for bracing the extended support stands. The support bars may also be positioned in a collapsed position in which the support bars are disposed substantially parallel to the lower surface of the table top. As the support stands and support bars move from the extended position to the collapsed position, the C-shaped holder of each support stand engages the central portion of the corresponding

support bar. This prevents the support stand from inadvertently moving from the collapsed position to the extended position.

One of the advantages of the structure recited in claim 13 is the ability to secure the support stands in the collapsed position by engaging the C-shaped holders to the support bars. Since the C-shaped holders engage the support bars, there is no need for the C-shaped holders to engage any structure on the bottom of the table top as is the case in the Lindsay patent. Also, since the C-shaped holders are attached to the reinforcement members on the support stands, there is no need for the C-shaped holders to be attached to the bottom of the table top as is the case in the Crichton patent. Thus, unlike the securing structures described in the Lindsay and Crichton patents, the securing mechanism of claim 13 uses only components that are part of or are attached to the *moving* components of the support structure. The securing mechanism of claim 13 does not require any additional components that must be attached to the bottom surface of the table top. This provides a substantial benefit in reducing the overall cost and complexity of the table of claim 13.

Neither the Lindsay patent or Crichton patent suggest a clamping mechanism that requires no additional structure attached to the bottom of the table top. As discussed above, both of these prior art references require that at least part of the clamping mechanism is attached to the bottom of the table top. Neither of these references discuss or suggest any reason why it would be desirable to have all the components of the clamping mechanism contained in the leg and support structures rather than on the bottom of the table top. Thus, the Lindsay and Crichton patents provide no motivation to one skilled in the art to modify the Glover table to include clamping components that are all contained in the moving parts of the table support structure, with none on the bottom of the table top. The mere fact that the cited references *can* be combined or modified to provide the structure of claim 13 does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *See, In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). Lacking any such suggestion in the prior art, Applicants submit

that the rejection of claim 13 under § 103 based on the combination of Glover, Lindsay and Crichton is improper and should be withdrawn.

Even if these three references are combined, the combination does not provide a support bar having a central portion that engages a C-shaped holder on the support stand. The Glover reference describes support bars, but does not describe or suggest support bars having a central portion that engages a C-shaped holder. Neither the Lindsay reference or the Crichton reference describes or suggests any kind of support bar. Since the individual references lack any teaching of the support bar of claim 13, a combination of these references cannot provide this limitation.

Likewise, the combination of references does not provide a C-shaped holder that engages a support bar. In support of the rejection, the Office Action states that Crichton teaches a C-shaped frame holder "that engages a round table leg (19) that is the same shape as the support bar of Glover." This much is true. However, Crichton does not teach or suggest a C-shaped holder that engages a central portion of a support bar. This is because there are no support bars in the table described in the Crichton reference.

The fact that Crichton depicts round table legs and Glover depicts round support bars has no bearing whatsoever on whether one skilled in the art would be motivated to combine the references to arrive at the securing mechanism of claim 13. The roundness of Glover's support bars is not relevant because claim 13 has no limitation regarding the shape of the support bars. There is also no limitation in claim 13 regarding the C-shaped holder engaging "round" structures. Thus, the Office Action provides no sound explanation as to why the roundness of Crichton's table legs and the roundness of Glover's support bars would provide motivation to combine the references.

Lacking motivation from the prior art, it appears that the Examiner has applied hindsight reasoning to piece together various components from several prior art references to arrive at Applicant's invention. It is improper to apply "hindsight reasoning, using the invention as a roadmap to find its prior art components." *Ruiz v. A.B. Chance Co.*, 357 F.3d 1270, 1275 (Fed. Cir. 2004). Such hindsight reasoning discounts "the value of combining various existing features

or principles in a new way to achieve a new result – often the very definition of invention.” *Id.* Any teaching or suggestion to make a claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicant’s disclosure. *See In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). *See Also, Crown Operations International, Ltd. v. Solutia Inc.*, 289 F.3d 1367, 1376 (Fed. Cir. 2002) (“ ‘Determination of obviousness cannot be based on the hindsight combination of components selectively culled from the prior art to fit the parameters of the patented invention.” *citing ATD Corp. v. Lydall, Inc.*, 159 F.3d 534, 546 (Fed. Cir. 1998).)

Claims 14-15 and 17 depend on claim 13 and recite additional important features of the invention. Thus, claims 14-15 and 17 patentably define over the combination of Glover, Lindsay and Crichton for at least the same reasons as claim 13. Reconsideration and allowance of claims 14-15 and 17 is requested.

Claims 13, 14, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,823,806 to Buono in view of Lindsay and Crichton. Applicants traverse this rejection. For the same reasons as set forth above regarding the combination of Glover, Lindsay and Crichton, Applicants submit that there is no proper motivation to combine the Buono, Lindsay and Crichton references. Even if combined, Applicants submit that claims 13, 14, 16 and 17 patentably define over the combination of Buono, Lindsay and Crichton for at least the same reasons that claim 13 defines over the combination of Glover, Lindsay and Crichton. Reconsideration and allowance of claims 13, 14, 16 and 17 is requested.

It is stated in the Office Action that the examiner considers the motivation to combine the Buono and Lindsay references to be sound because Applicants previously submitted no arguments to the rejection in the prior Office Action involving Buono and Lindsay. In the prior Office Action, Buono and Lindsay were combined in an obviousness rejection of claim 5. Applicants canceled claim 5 in favor of new claims 13-17 which introduce limitations different from the limitations of claim 5. Based on the differences in claim limitations, it would have been unproductive for Applicants to submit arguments directed to a cancelled claim. In any event,

Applicants' arguments set forth above regarding the lack of motivation to combine the teachings of Glover and Lindsay are equally applicable to the combination of Buono and Lindsay. Thus, Applicants have not in any way acquiesced to there being proper motivation to combine Buono and Lindsay.

In light of the foregoing discussion, Applicants respectfully submit that all of the pending claims are now in condition for allowance. Action in accordance therewith is respectfully requested.

If the Examiner maintains the claim rejections, Applicants request entry of this amendment to place the claims in better form for appeal.

If the Examiner identifies further issues that may be resolved by telephone, the Examiner is invited to contact the undersigned at (865) 546-4305.

In the event this response is not timely filed, Applicants hereby petition for the appropriate extension of time and request that the fee for the extension along with any other fees that may be due with respect to this paper be charged to our Deposit Account No. 12-2355.

Respectfully submitted,

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